

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

CARMEN J. ALICEA,

Movant

v.

DITECH FINANCIAL LLC,

CHAPTER 13

No. 16-12596-AMC

11 U.S.C. Section 362

ORDER

AND NOW, this 19<sup>th</sup> day of Dec., 2017, upon consideration of the Motion of the Debtor, Carmen J. Alicea, to Reinstate the Automatic Stay and Set Aside the Sheriff's Sale of the Debtor's Property, and the responses of the parties thereto, it is hereby ORDERED and DECREED, as follows:

- the Motion is denied for the reasons stated in open Court*
1. The Automatic Stay provided in Section 362(a) of the Bankruptcy Code is reinstated.
  2. The Sheriff's Sale of Debtor's real property situate at 1333 McKinley Street, Philadelphia, PA 19111, held on October 3, 2017, is hereby SET ASIDE.
  3. The Sheriff's Deed to the subject property recorded November 7, 2017 as Document ID No. 53288409, shall be STRICKEN.
  4. Any and all funds paid on account by the purchaser at the Sheriff's Sale may be refunded to the purchaser, and the parties may seek to recover any recording fees and transfer taxes paid in connection with the execution and recording of the Sheriff's Deed.
  5. The parties may stake such other actions in state court as may be necessary in give effect to this Order in setting aside of the Sheriff's Sale, striking the Sheriff's Deed, or seeking

reimbursement of fees and costs associated therewith, without seeking further relief from the automatic stay.

6. A copy of this Order shall be recorded in the City of Philadelphia Department of Records.



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ASHELY M. CHAN  
UNITED STATES BANKRUPTCY JUDGE